

## House Bill 1279 (COMMITTEE SUBSTITUTE)

By: Representatives Butler of the 18<sup>th</sup>, Smith of the 131<sup>st</sup>, Sheldon of the 105<sup>th</sup>, Smith of the 168<sup>th</sup>, and Willard of the 49<sup>th</sup>

## A BILL TO BE ENTITLED

## AN ACT

To amend Code Section 45-18-5 of the Official Code of Georgia Annotated, relating to county officers and employees' participation in the state health benefit plan, so as to provide sheriffs, tax commissioners, clerks of superior court, and judges of the probate court with the option of participating in the state health benefit plan for themselves and their dependents; to provide for the coverage of their dependents; to provide for the manner of exercising such option; to provide for related matters; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

**SECTION 1.**

Code Section 45-18-5 of the Official Code of Georgia Annotated, relating to county officers and employees' participation in the state health benefit plan, is amended by striking subsections (b) and (c) and inserting in lieu thereof new subsections (b) and (c) to read as follows:

"(b)(1) Any sheriff, tax commissioner, clerk of superior court, or judge of the probate court in office on July 1, 2006, may elect to be included in any health plan or plans established under this article. Such election shall be made no later than August 1, 2006. In addition, any person newly elected to the office of sheriff, tax commissioner, clerk of superior court, or judge of probate court on or after January 1, 2007, may elect to be included in any health plan or plans established under this article. Such election shall be made within 31 days after taking office. If such officials elect not to be included in a health plan or plans established under this article, such officials shall not thereafter be eligible for participating in a health plan or plans established under this article. All such officials who leave office on or after December 31, 2006, who have served at least eight years in one or more of the following capacities: probate judge, sheriff, tax commissioner or tax collector, or clerk of the superior court and who elected to participate in a health plan or plans established under this article may continue such participation after leaving

1 office for themselves and their spouses and dependents. The governing authority of a  
2 county may elect by majority vote to provide for payment in a uniform manner of any  
3 portion, all, or none of the employer contributions for or required premiums or payments  
4 due from such county officials or former county officials who under this paragraph are  
5 eligible for inclusion in the health plan or plans established under this article. The board  
6 may contract with the County Officers Association of Georgia on behalf of the various  
7 counties of this state for the collection of the health insurance premiums of such officials  
8 who elect to be covered under this paragraph and their respective spouses and  
9 dependents. The County Officers Association of Georgia is authorized to contract with  
10 the board as provided in this Code section. Upon entering into such contract, it shall be  
11 the duty of the County Officers Association of Georgia to collect from the various  
12 counties of this state with which it has contracted under this subsection and remit to the  
13 board such payment as may be required under any health plan for inclusion in the health  
14 fund. The County Officers Association of Georgia may add a reasonable fee to the  
15 premiums required under the plan to cover necessary administrative costs. In addition,  
16 it shall be the duty of the County Officers Association of Georgia to maintain and remit  
17 to the board accurate records of official, dependent, and other information required by the  
18 board to administer this Code section. To the extent employer contributions are not fully  
19 made by a county, it shall be the duty of the covered officials and former officials to make  
20 such employer contributions required on their behalf for the operation of such plan or  
21 plans.

22 (2) County officials may elect to be included in a health insurance plan, health  
23 maintenance organization, or other health benefits plan offered or provided by a county  
24 for its county officials or any health plan or plans established under this article. The  
25 governing authority of a county may elect by majority vote to provide for payment in a  
26 uniform manner of any portion, all, or none of the employer contributions for or required  
27 premiums or payments due from the county officials or former county officials who under  
28 this Code section are eligible for inclusion in the health plan or plans established under  
29 this article. The board is authorized to contract with the County Officers Association of  
30 Georgia on behalf of the various counties of this state for the inclusion in any health  
31 insurance plan or plans established under this article of officials, spouses, and dependents  
32 of officials serving in one or more of the following capacities: probate judge, sheriff, tax  
33 commissioner or tax collector, clerk of the superior court, full-time or part-time state  
34 court judge, solicitor, state court clerk, or solicitor-general, chief magistrate, juvenile  
35 court judge, or members of the county governing authority and officials, spouses, and  
36 dependents of officials leaving office on or after December 31, 1996, who have served

1 at least 12 years in one or more of the following capacities: probate judge, sheriff, tax  
2 commissioner or tax collector, clerk of the superior court, full-time or part-time state  
3 court judge, solicitor, state court clerk, or solicitor-general, chief magistrate, juvenile  
4 court judge, or members of the county governing authority. The County Officers  
5 Association of Georgia is authorized to contract with the board as provided in this Code  
6 section. In the event that such a contract is entered into, it shall be the duty of the County  
7 Officers Association of Georgia to collect from the various counties of this state with  
8 which it has contracted under this subsection and remit to the board such payment as may  
9 be required under any health insurance plan for inclusion in the health insurance fund.  
10 The County Officers Association of Georgia may add a reasonable fee to the premiums  
11 required under the plan to cover necessary administrative costs. In addition, it shall be  
12 the duty of the County Officers Association of Georgia to maintain and remit to the board  
13 accurate records of official, dependent, and other information required by the board to  
14 administer this Code section. The Office of Planning and Budget shall calculate the  
15 actual cost of the State Health Benefit Plan and report to the Department of Community  
16 Health for pricing for nonstate employees who are allowed to participate in the plan  
17 according to this Code section."

## 18 SECTION 2.

19 All laws and parts of laws in conflict with this Act are repealed.